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EXAMINER	
DAY, HERNG DER	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/995,239	CHAN ET AL.	
	Examiner	Art Unit	
	Herng-der Day	2128	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 October 2005 and 01 May 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11 and 13-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11 and 13-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11/27/01* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is in response to Applicants' Amendment ("Amendment") to Office Action dated July 27, 2005, filed October 27, 2005 and Applicants' Response ("Response") to Office Action dated January 30, 2006, filed May 1, 2006.

1-1. Claims 1-7, 9, 10, 13, and 15 have been amended. Claim 12 has been canceled. Claims 1-11 and 13-15 are pending.

1-2. Claims 1-11 and 13-15 have been examined and rejected.

Specification

2. The objections to the specification have been withdrawn.

Claim Objections

3. Claim 2 is objected to because of the following informalities. Appropriate correction is required.

3-1. Regarding claim 2, "he feedback nodes comprise recommendation and promotion nodes", as described at lines 2-3 of the claim. (Emphasis added.)

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1-11 and 13-15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

5-1. The amended independent claims 1 and 9 recite the limitation, "a communication component for communicating the feedback to the users to assist the users in making decisions regarding a business transaction" at the last two lines of each claim, which does not appear to have support in the original disclosure. As described in the specification at lines 10-13 of page 9, "The *front-end or framework* with which the reasoning model communicates has a mechanism for *generating system responses provided to a consumer* and a mechanism for *collecting responses received from a consumer*". In other words, the communication component for communicating the feedback to the users is the "front-end or framework". The reasoning model does not appear to comprise the "front-end or framework" in the original disclosure.

6. Claims 1-11 and 13-15 are rejected under 35 U.S.C. 112, first paragraph, because the best mode contemplated by the inventor has not been disclosed. Evidence of concealment of the best mode is based upon Applicants' Response to requirement for information under 37 C.F.R. 1.105 filed on May 1, 2006.

6-1. The amended independent claims 1 and 9 recite the limitation, "a communication component for communicating the feedback to the users". As described in the specification at lines 10-13 of page 9, "The front-end or framework with which the reasoning model communicates has a mechanism for generating system responses provided to a consumer and a

mechanism for collecting responses received from a consumer. *The preferred embodiment uses the IBM Recommendation Assistant Framework (TM) as a front-end*". However, Applicants respond in page 1 of Applicants' Response to requirement for information under 37 C.F.R. 1.105 filed on May 1, 2006, "The Office has requested that Applicants provide user's manuals and references having a publication date of November 2000 or earlier regarding the "IBM Recommendation Assistant Framework™." Applicants respectfully submit that the information requested by the Office is unknown by Applicants or, in the alternative, is not readily available to Applicants." Accordingly, the best mode contemplated by the inventors has not been disclosed because Applicants assert that the information regarding the preferred embodiment (i.e., using the IBM Recommendation Assistant Framework (TM) as a front-end) is unknown by Applicants or, in the alternative, is not readily available to Applicants.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 10-11 and 13-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8-1. Claim 10 recites the limitation "the system component" in line 4 of the claim. There is insufficient antecedent basis for this limitation in the claim.

8-2. Claim 15 recites the newly added limitation "computer infrastructure" in lines 3 and 4 of the claim. It is unclear what the "computer infrastructure" is referred to in the specification. Furthermore, claim 15 recites the newly added limitation "a compute-readable medium" in line 2 of the claim, which has not been explicitly disclosed in the original disclosure. For the purpose

of claim examination with the broadest reasonable interpretation, the Examiner will interpret the "compute-readable medium" as the "recordable data storage medium" recited in claim 10.

8-3. Claims not specifically rejected above are rejected as being dependent on a rejected claim.

Claim Rejections - 35 USC § 101

9. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

10. Claims 1-11 and 13-15 are rejected under 35 U.S.C. 101 because the inventions as disclosed in claims are directed to non-statutory subject matter.

10-1. Claims 1-9 claim computer system comprising a reasoning model, the reasoning model comprising components. As described at lines17-18 of page 8, "Reasoning model 2 may implement decision graph 4 (an example of which is shown in Figure 2) in a manner appropriate for the environment in which *the reasoning model is to be run.*" Accordingly, the reasoning model is an executable software program. In other words, the precise structure of the claimed computer system is a software system comprising software program, i.e., software programming per se, and hence nonstatutory.

10-2. Claims 10-11 and 13-14 claim computer program product comprising a recordable data storage medium and wherein said recordable data storage medium is a modulated carrier signal and wherein said signal is a transmission over a network. Claim 15 claims program product stored on a computer-readable medium. The claimed medium will not result in a practical application producing a concrete, useful, and tangible result because it is not tangibly embodied.

10-3. The Examiner acknowledges that even though the claims are presently considered non-statutory they are additionally rejected below over the prior art. The Examiner assumes the Applicants will amend the claims to overcome the 101 rejections and thus make the claims statutory.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. Claims 1, 4-8, 10, 11, and 13-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Mattern et al., U.S. Patent 6,763,342 B1 issued July 13, 2004 and filed July 12, 2000.

12-1. Regarding claim 1, Mattern et al. disclose a computer system for generating user recommendations for a defined knowledge base, the computer system comprising a reasoning model, the reasoning model comprising:

a component for storing, maintaining and representing a decision graph definable by an author (The user can modify the decision paths, column 5, lines 44-46), the decision graph comprising nodes and links between the nodes (a tree structure indicating their relationship, column 5, lines 33-54), the nodes comprising a set of decision nodes, and a set of feedback nodes, each of the nodes in the decision graph comprising rules defined by the author to define links to other nodes in the graph based on a processing of user information including

probabilistic reasoning (neural networks, column 13, lines 6-9), and for a decision node, to request and obtain user information (question and reply nodes, column 6, lines 26-35), and for a feedback node, to provide feedback to users (solution nodes, column 6, lines 26-35),

a component to traverse the decision graph and fire the rules defined in the decision graph nodes (the reply is evaluated and the knowledge module 208 is accessed to retrieve the next node corresponding to the selected reply, column 12, lines 4-10); and

a communication component for communicating the feedback to the users to assist the users in making decisions regarding a business transaction (The Web server 202 acts as the presentation layer of the system 200, column 4, lines 56-67).

12-2. Regarding claim 4, Mattern et al. further disclose the nodes contain no information relating to presentation of data to a user (the retrieved information may be assembled with other (page-definition) information stored within the data store 221 to create a Web page, column 11, lines 57-67).

12-3. Regarding claim 5, Mattern et al. further disclose the rules defining links to other nodes in the graph comprise rules accessing and evaluating one of:

a) personalization choices collected implicitly or explicitly from the user (the reply is evaluated, column 12, lines 4-16),

b) static data relating to the user,

c) a dynamically generated user model,

d) attributes of elements in the knowledge base, and

e) author-related goals.

12-4. Regarding claim 6, Mattern et al. further disclose the decision graph comprises multiple entry points (a leap is used to redirect other decision paths to one common question node, column 6, lines 15-20).

12-5. Regarding claim 7, Mattern et al. further disclose the decision graph comprises nodes potentially chaining the decision graph to other decision systems (links to external documents may be added to an answer node, column 10, lines 40-49).

12-6. Regarding claim 8, Mattern et al. further disclose the rules defining links between nodes in the decision graph utilize one of:

weighting systems,

fuzzy logic systems, and

probabilistic reasoning (neural networks, column 13, lines 6-9).

12-7. Regarding claims 10-11 and 13-14, these computer program product claims include equivalent computer system limitations as in claims 1 and 4-8 and are unpatentable using the same analysis of claims 1 and 4-8.

12-8. Regarding claim 15, this program product claim includes equivalent system limitations as in claim 1 and is unpatentable using the same analysis of claim 1.

13. Claims 2-3, 9, 10-11, and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mattern et al., U.S. Patent 6,763,342 B1 issued July 13, 2004 and filed July 12, 2000, in view of Herz et al., U.S. Patent Application Publication 2001/0014868 A1 Published August 16, 2001.

13-1. Regarding claim 2, Mattern et al. disclose a computer system comprising a reasoning model in claim 1 and further disclose the decision nodes comprise question nodes (question and

reply nodes, column 6, lines 26-35) and the feedback nodes comprise recommendation nodes (solution nodes, column 6, lines 26-35; the solution is presented to the user machine, column 12, lines 38-50). Mattern et al. fail to expressly disclose the feedback nodes comprise promotion nodes.

Herz et al. disclose a system for the automatic determination of customized prices and promotions. The system automatically constructs product offers tailored to individual shoppers in a way that attempts to maximize the vendor's profits (Herz, paragraph [0004]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Mattern et al. to incorporate the teachings of Herz et al. to obtain the invention as specified in claim 2 because automatically constructing product offers tailored to individual shoppers by providing customized prices and promotions would attempt to maximize the vendor's profits (Herz, paragraph [0004]).

13-2. Regarding claim 3, Herz et al. further disclose promotional nodes comprise cross-sell and up-sell nodes (selects offers from the offer database that are likely to result in profitable sales, paragraph [0037]; present selected offers to shopper, paragraph [0038]).

13-3. Regarding claim 9, Mattern et al. disclose a computer system for generating user recommendations for a defined knowledge base, the computer system comprising a reasoning model, the reasoning model comprising:

a component for storing, maintaining and representing a decision graph definable by an author (The user can modify the decision paths, column 5, lines 44-46), the decision graph comprising nodes and links between the nodes (a tree structure indicating their relationship, column 5, lines 33-54), the nodes comprising a set of decision nodes, and a set of feedback

nodes, the decision nodes comprising question nodes and the feedback nodes comprising recommendation [and promotion] nodes, each of the nodes in the decision graph comprising rules defined by the author to define links to other nodes in the graph, and for a decision node, to request and obtain user information (question and reply nodes, column 6, lines 26-35), and for a feedback node, to provide feedback to users (solution nodes, column 6, lines 26-35),

the rules defining links to other nodes in the decision graph comprising rules accessing and evaluating one of:

(f) personalization choices collected implicitly or explicitly from the user (the reply is evaluated, column 12, lines 4-16),

(g) static data relating to the user,

(h) a dynamically generated user model,

(i) attributes of elements in the knowledge base, and

(j) author-related goals; and

utilize one or more of:

(i) weighting systems,

(ii) fuzzy logic systems, and

(iii) probabilistic reasoning (neural networks, column 13, lines 6-9), and

a component to traverse the decision graph and fire the rules defined in the decision graph nodes (the reply is evaluated and the knowledge module 208 is accessed to retrieve the next node corresponding to the selected reply, column 12, lines 4-10); and

a communication component for communicating the feedback to the users to assist the users in making decisions regarding a business transaction (The Web server 202 acts as the presentation layer of the system 200, column 4, lines 56-67).

Mattern et al. fail to expressly disclose the feedback nodes comprise promotion nodes.

Herz et al. disclose a system for the automatic determination of customized prices and promotions. The system automatically constructs product offers tailored to individual shoppers in a way that attempts to maximize the vendor's profits (Herz, paragraph [0004]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Mattern et al. to incorporate the teachings of Herz et al. to obtain the invention as specified in claim 9 because automatically constructing product offers tailored to individual shoppers by providing customized prices and promotions would attempt to maximize the vendor's profits (Herz, paragraph [0004]).

13-4. Regarding claims 10-11, and 13-14, these computer program product claims include equivalent computer system limitations as in claims 2-3 and 9 and are unpatentable using the same analysis of claims 2-3 and 9.

Applicants' Arguments

14. Applicants argue the following:

(1) "Applicants respectfully submit that the IBM Recommendation Assistant Framework™ is used in the claimed invention only as a communication framework and thus is not necessary for an understanding or an examination of the claimed invention." (Page 8, paragraph 3, Amendment).

(2) "The Office has requested that Applicants provide user's manuals and references having a publication date of November 2000 or earlier regarding the "IBM Recommendation Assistant Framework™." Applicants respectfully submit that the information requested by the Office is unknown by Applicants or, in the alternative, is not readily available to Applicants." (Page 1, paragraph 2, Response).

(3) "claims 1 and 9, as amended, are directed to a computer system, which is a statutory tangible thing." (Page 8, paragraph 4, Amendment).

(4) "communicating a feedback and assisting decision makings are physical activities and are practical applications as required by the Examination Guideline for Compute-Implemented Invention." (Page 9, paragraph 1, Amendment).

(5) "With respect to claims 10 and 15, a tangle thing, e.g., "recordable data storage medium" (claim 10) is included." (Page 9, paragraph 1, Amendment).

(6) "claims 10 has been amended according to the Office's suggestion." (Page 9, paragraph 2, Amendment).

(7) "Applicants initially note that in the Office Action, claims 10-14 are rejected twice both under 35 U.S.C. §102(e) and under 35 U.S.C. §103(a). Applicants submit that those two grounds of rejection are inconsistent." (Page 10, paragraph 1, Amendment).

(8) "in Mattern, a link between a node and another node (or a sub-node) is not defined by rules in the node. ... Mattern discloses that a user (of knowledge building component 230) might modify a decision path by "adding, moving, deleting, or altering nodes of the knowledge module 208 as represented in a tree structure[,]" but does not include defining a link by rules in a node." (Page 10, paragraph 2, Amendment).

(9) "In contrast, in the claimed invention, rules in a node define links to other nodes. Moreover, the claimed invention include defining links to other nodes "based on a processing of user information including probabilistic reasoning[.]" (Claim 1, incorporated in claims 10 and 15)." (Page 11, paragraph 2, Amendment).

(10) "In Mattern, as discussed above, a retrieval to a solution must follow the pre-determined tree structure (decision path), and if there are any forks (i.e., alternative replies), a user machine is required to make a selection. As such, in Mattern, there is no component of a computer system to traverse the decision path and to fire the rules." (Page 11, paragraph 3, Amendment).

(11) "Herz does not use the weighting system to define links to other nodes, as the claimed invention does. Herz only uses the weighting system to control novelty." (Page 12, paragraph 1, Amendment).

(12) "an adoption of the Herz teachings regarding controlling novelty by the weighting system will make Mattern unsatisfactory for its intended purpose, because such a "novelty control" interrupts a user machine's selection. In view of the foregoing, there is no suggestion or motivation to combine Mattern and Herz. Applicants submit that the Office obtains suggestion or motivation to combine only from the hindsight teachings of the currently claimed invention, which is not warranted." (Page 12, paragraph 2, Amendment).

Response to Arguments

15. Applicants' arguments have been fully considered.

15-1. Applicants' arguments (1)-(2) are not persuasive. Applicants assert that the information regarding the preferred embodiment (i.e., using the IBM Recommendation Assistant Framework (TM) as a front-end) is unknown by Applicants or, in the alternative, is not readily available to Applicants. Therefore, the best mode contemplated by the inventors has not been disclosed as detailed in paragraph **6-1** above.

15-2. Applicants' arguments (3)-(4) are not persuasive. Claims 1 and 9 are not claiming method steps but claim computer system comprising a reasoning model, the reasoning model comprising components. However, the reasoning model is an executable software program, therefore, the precise structure of the claimed computer system is a software system comprising software program, i.e., software programming per se, and hence nonstatutory as detailed in paragraph **10-1** above.

15-3. Applicants' argument (5) is not persuasive. Claim 10 claims computer program product comprising a recordable data storage medium. Claim 15 claims program product stored on a computer-readable medium. However, as further recited in claims 13 and 14, the recordable data storage medium is a modulated carrier signal and the signal is a transmission over a network. Therefore, the claimed medium will not result in a practical application producing a concrete, useful, and tangible result because it is not tangibly embodied as detailed in paragraph **10-2** above.

15-4. Applicants' argument (6) is persuasive. The rejections of claims 10-14 under 35 U.S.C. 112, second paragraph, in Office Action dated July 27, 2005, have been withdrawn.

15-5. Applicants' argument (7) is not persuasive. Claim 10 recites the limitation, "comprising computer readable program code means for implementing the system component of any of

claims 1 to 9". Therefore, when refers to claims 1 and 4-8, claim 10 is rejected under 35 U.S.C. §102(e). However, when refers to claims 2-3 and 9, claim 10 is rejected under 35 U.S.C. §103(a). There is no inconsistency.

15-6. Applicants' arguments (8) and (10) are not persuasive. Applicants assert in the specification at lines 4-6 of page 13, "The nodes in the decision graph contain rules determined at build time (by the author). The links or transitions actually followed are determined dynamically at runtime by those rules defined in the nodes." and at lines 3-6 of page 11, "The links or edges in the decision graph are made by author 6 and are traversed based on data in the knowledge base as augmented by data input by the consumer. For example, links from a node in a decision graph may be defined to be selectively traversed based on a consumer's response to questions defined in the question node, ...". In view of Applicants' example, Mattern's "question and answer oriented" system does include defining a link by rules in a node as well as traversing the decision path and firing the rules.

15-7. Applicants' argument (9) is not persuasive. Mattern et al. disclose at column 12, line 61 through column 13, line 9, "as will be appreciated by those skilled in the art, the operation of the particular knowledge based system is based on the structure of the underlying knowledge module content. The illustrative system described above is *question and answer oriented*, where the questions posed and answers selected guide the user to the content sought. An alternative example of a potential structure for the knowledge module is category and option oriented, ... Other alternative examples of differing kinds of possible structures include directed graphs, non-directed graphs, *rule bases*, cases, predicate logic, *neural networks*, and the like." In other words, although the illustrative system described by Mattern et al. is question and answer

oriented, *rule based*, *neural networks*, and the like are alternative examples which are appreciated by those skilled in the art as asserted by Mattern et al. Therefore, neural networks anticipate the claimed "probabilistic reasoning".

15-8. Applicants' arguments (11) and (12) are moot in view of the new ground(s) of rejection. In response to Applicants' argument that the Examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the Applicants' disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). Furthermore, in response to Applicants' argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Herz et al. because automatically constructing product offers tailored to individual shoppers by providing customized prices and promotions would attempt to maximize the vendor's profits (Herz, paragraph [0004]). Weighting system is not the reason or motivation to combine Mattern and Herz.

Conclusion

16. Applicants' amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicants are reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

17. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Herng-der Day whose telephone number is (571) 272-3777. The Examiner can normally be reached on 9:00 - 17:30.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: (571) 272-2100.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Kamini S. Shah can be reached on (571) 272-2279. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Herng-der Day
August 20, 2007 H.D.

KAMINI SHAH
SUPERVISORY PATENT EXAMINER